2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

768 428 case, are still in process of formation. Wagons and farm tools, sewing machine and kitchen range, are family tools, in the same status as, formerly, the stone axe and the rope twister, the pots and baskets. They used to be distributed, by informal arrangement, men's tools to men, womens' tools to women. But the added value of present day tools causes disagreement which must finally lead to some form of testament.

LAND

423 The essential interest of a family was in the land which had been cleared and ditched by its men and whose use was, therefore, regarded as a perpetual right. An agricultural settlement was known simply as the Fields, the flimsy houses being secondary and these Fields had generally been discovered and settled by a family group. The place chosen was in the flat plain where a wash, rushing down from the mountains, finally lost its momentum, ceased to cut a channel and spread its waters over the level land for a square mile or more. The clay, soaked by the standing water, furnished the planting ground while the houses were placed on some slight elevation away from the flood.

The group of settlers distributed the fields among their households, choosing a leader to oversee the process. If they were only a few, any older man might take charge. A larger group elected a leader who must ultimately be approved by the leader of the home village. Under his direction, the group held a meeting and parcelled out the flood plain into plots of two or three acres. At the beginning, there was usually more than enough for all since the Papago planted very little wheat and all they needed was a garden patch for corn, beans and pumpkins. The writer, on inquiring how all could be accomodated so easily, has often been told: "But you don't know how small our fields were. There was more than enough."

Each family head received a field which would serve for himself and his sons and he marked its corners with large stones or stakes. These were frequently washed away and then there were boundary difficulties but most Papago denied that they resulted in quarreling. "They just talked together and put the marks back." However the writer has seen clowns at the harvest feast, mimicking farm life and surreptitiously moving boundary stones. If there were a [627] dispute it is acknowledged that the parties went to the governor, who generally reconciled them by common sense and moral suasion. If one of them insisted that he needed more land, the governor suggested that he go further out and dig a new field.

2: Underhill E-5 (1931-1935)1939 NU28 Papago NU28

be thanked by the council. The record of the calendar stick is punctuated with such executions.

Murder, in the Papago view, was not a crime. It took place generally at the drinking feast or in a quarrel over a woman, and the victim's family then had a right to kill the murderer or a member of his family. The Keeper, governor and elders remonstrated with them and begged them not to make the village lose a man, but if they insisted, "no one would interfere." One instance was recited where the murderer had fled the country but his brother was still in the village. The victim's brothers came to the door of his house and told him: "We are going to kill you. Send your wife and children away." He sent them away and then came to meet his executioners. After his death his wife tore down the house, according to the usual custom and all the village united in rebuilding it for her at another place and in helping to support her for life (2).

Murder was considered by the Spaniards a crime for which the offender should be delivered to the provincial authorities, but the Papago ignored the ruling except when soldiers or priests were sent to enforce it. Assault and battery was considered a family affair, like murder and in old times it was left to the people concerned. However, the priests thought it a matter for the whipping post and in some places it came to have that penalty.

There was considerably less scope for sexual offenses than in modern society and a man, particularly, had a great deal of freedom. If he conceived a sudden passion, he could always take the woman as an additional wife, after the proper preliminaries of divorce for a married woman or proposal for a maiden. There were official nights of saturnalia, at the drinking feast and the maiden's dance when he could gratify a briefer desire. Homosexual tendencies were openly acknowledged and sanctioned.

Yet sexual offenses did occur. Rape is never mentioned and an illicit affair with a maiden was not important, but one with a married woman, without the proper divorce, was an infringement of the husband's property right. The husband could destroy or appropriate the lover's property and, if he killed him, would not be interfered with. A woman had less freedom and less consolation. There were no female transvestites and a woman could take advantage of the saturnalian feasts only with her husband's consent. She could have only one husband and, if she preferred another man must be divorced and become a second wife. If her husband was having a love affair, she had no remedy but to scratch the other woman while the village looked on. When too much outraged, she

4: Joseph et al D, E-5 (1942-1943) 1949
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young man, one of the district councilmen, is regarded as chief by the Agency but not by his own people.) Though no regular council meetings are held in these villages, the men meet informally to discuss problems when they arise. It is probably significant that all the three "strong men" of Hickiwan District are medicine men, but how much of their strength is due to fear of their supernatural power is a matter for speculation.

Papago who have disputes to be settled have considerable leeway in bringing their complaints before authority. If a man wishes, he can take his case direct to the tribal court (see chap. vii) rather than to the village chief; or the district councilman, who in some cases is a man of great influence, may be called on for a decision. In one case known to the writer the defendant was not satisfied with the tribal court's decision and so brought the matter to the village chief, then through the district councilman back to the tribal court. There were apparently no negative sanctions in the village against this procedure; a man is free to take his legal problems where he pleases.

However, in all the western villages disagreements are settled locally, and there is no recourse to the tribal council or court. Local quarrels may be noised about the district but not far beyond, as controversies are concealed or glossed over before outsiders. Owing to recent unhappy experiences (see chap. vii), the Reservation police thereafter refused to go to Hickiwan District. The people are well content with this situation, for they are determined to keep the management of their affairs in their own hands.

Throughout the Reservation, matters which require local co-operation and leadership are handled without friction. Leaders, elected or otherwise, are respected by the people because of their position. Their decisions and those of the council are accepted when the people feel that such decisions are based on a thorough knowledge of the recognized way of doing things and are made after discussion and expression of "what all the people think." Papago know that they are free to express disagreement, but usually would rather accept a decision with which they are not entirely in accord than to stand out from the crowd and make "people talk."

INTERVILLAGE RELATIONSHIPS

Some present-day Papago villages are in the same locations as they were in Kino's time, and others are offshoots of these old villages, probably dating from the cessation of pressure from the Apache. Ties between the parent-village and those formed from it remain close. People visit back and forth, they co-operate in roundups, and they are sure to attend one another's fiestas, but the degree of interaction is determined by blood ties and proximity.

4: Joseph et al D, E-5 (1942-1943) 1949
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on the Reservation. The districts were created to facilitate range management, and, while in the main they coincided roughly with the areas occupied by the various dialect groups, the boundaries cut across old lines of communication and usage. Nor are these boundaries mere symbols, for they are marked by fences erected to prevent the cattle of one district from straying into another and eating up its range. Some fences cut through established ranges and kept cattle from their usual watering places. An added annoyance was that they cut across some old routes from one village to another. The fences have now stood so long that the people have adjusted to them, but the districts which they mark off have never become real entities.

At the time of the present study the council of Baboquivari District in the southeast consisted of ten members, with one or two representatives from each village except Topawa, which had four in accordance with its size. Supposedly these representatives were elected at village meetings every two years. The council formerly had met every month on the Friday preceding the tribal council meeting, and anyone interested might come and participate in the discussion. However, interest had apparently fallen off, for no meetings had been held recently.

Hickiwan and Gu Vo district councils were organized on the old pattern: every adult male was eligible to speak and to vote. However, as previously noted, Hickiwan had been so badly split that no united action was ever taken, and only one meeting was held in the two years preceding this study. Gu Vo had had no meetings at all.

At one time consideration was given to the establishment of district courts where small matters could be decided. The people of Baboquivari indicated a desire to try out such a court, but it was never set up. Here, as elsewhere on the Reservation, minor disputes which cannot be settled by the family are still taken to the old village court.

THE PAPAGO AND THE LARGER WHITE WORLD

Papago who go to work off the Reservation—as they have done in increasing numbers since 1940—receive varying treatment. Where they work in large numbers, as on the ranches and at the Ajo mine, they are given a good deal of consideration, for they are known as good and steady, though slow, workers. Ranchers allow their workmen to go home occasionally and treat them according to their merits as honest and hard-working individuals. Papago who have gone out to work for several years usually return to the same employer, and quite friendly relations are often established between them.

Contacts with employers at the mine are, of course, far less personal, but